

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

NEALY L. SKELDON,)	
)	
Plaintiff,)	
)	Case No.: 25-cv-06078
v.)	
)	
DERMACARE USA CORPORATION, d/b/a)	
“DERMACONCEPTS,” a Massachusetts)	
Corporation, ROBERT LEWIS TROW, an)	
individual; CAROL SIMRA TROW, an individual,)	Hon. Joan B. Gottschall
MICHAEL LUCICH, an individual; and)	Magistrate Judge Jeffrey T. Gilbert
BRITTANY PIKE, an individual,)	
)	
Defendants.)	

DERMACARE USA CORP. d/b/a DERMACONCEPTS’ 12(b)(6) MOTION TO DISMISS

Defendant DermaCare USA Corporation d/b/a/ DermaConcepts (“DermaConcepts”) moves this Court for an order dismissing Counts V, VII, and VIII of Plaintiff’s Complaint pursuant to Fed. R. of Civ. P. 12(b)(6). In support of its motion, DermaConcepts states as follows:

1. On May 27, 2025, Plaintiff filed her Complaint asserting a variety of claims against her former employer, DermaCare USA Corporation d/b/a/ DermaConcepts (“DermaConcepts”), and four of its individual owners and employees.

2. Count V of Plaintiff’s Complaint fails to state a claim for retaliatory discharge because it (1) is premised on an alleged Illinois Human Rights Act violation and (2) relies on a claim of constructive discharge. Both render the retaliatory discharge claim unviable as a matter of Illinois law.

3. Count VII should be dismissed because it alleges a civil conspiracy by a company and its officers and employees, which is a legal impossibility under Illinois law.

4. Count VIII fails to state a tortious interference with prospective economic advantage claim because it is devoid of any allegation that any defendant contacted a third party, which is a required element of a tortious interference claim. Count VIII likewise only alleges interference via protected, privileged statements, which further justifies dismissal.

5. Even accepting all well-pleaded facts in the Complaint as true, Plaintiff's counts for retaliatory discharge, civil conspiracy, and tortious interference fail to state any cognizable claim against any defendant under Illinois law.

6. In support of its motion to dismiss, DermaConcepts submits herewith the accompanying Memorandum of Law.

WHEREFORE, DermaConcepts respectfully requests that this Court enter an order dismissing Counts V, VII, and VIII of the Complaint with prejudice.

Dated: June 20, 2025

Respectfully submitted,

DERMACARE USA CORPORATION,
d/b/a "DERMACONCEPTS"

By: /s/ Richard R. Winter
One of Its Attorneys

Richard R. Winter (#6195210)
William A. Ringhofer (#6339585)
HOLLAND & KNIGHT LLP
150 N. Riverside Plaza, Suite 2700
Chicago, IL 60606
(312) 263-3600
richard.winter@hklaw.com
william.ringhofer@hklaw.com